

REMARKS

By the foregoing amendment, claims 10 and 20 have been rewritten in independent form. In rewriting claim 10 in independent form, the step of making new carpeting has been amended to recite that the making of such new carpeting is part of step (d). Also, the term "materials" has replaced the term "resin in claims 10 and 20. Support therefor is found in page 1, lines 9-26 of the specification. It is not believed this change is significant to patentability. With respect to claim 20 and the rejection of the claim based on 35 U.S.C. 112, the second filler is recited as up to 70% calcium carbonate. It is now clear that the second filler contains up to 70% calcium carbonate and that the claim embraces a new carpet containing calcium carbonate from the collected waste carpeting and that such new carpet may also include new calcium carbonate as part of the second filler.

Having cancelled all of the claims under rejection (claim 20 excepted), believing that the rejection of claim 20 based on 35 U.S.C. 112 is now cured and there being no other outstanding objections or rejections, Applicant believes the application is now in condition for allowance with claims 10 and 20 as the formally allowed claims.

Respectfully submitted,

NIXON & VANDERHYE P.C.

By: Richard G. Besha
Richard G. Besha
Reg. No. 22,770

RGB:cr
1100 North Glebe Road, 8th Floor
Arlington, VA 22201-4714
Telephone: (703) 816-4000
Facsimile: (703) 816-4100